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Attorneys for Defendants studiVZ Ltd.,
Holtzbrinck Networks GmbH, and
Holtzbrinck Ventures GmbH

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

FACEBOOK, INC.,

Plaintiff,

v.

STUDIVZ LTD., , HOLTZBRINCK
NETWORKS GmbH,
HOLTZBRINCK VENTURES
GmbH, and DOES 1-25,

Defendants.

Case No. 5:08-CV-03468 JF
Assigned To: Hon. Jeremy Fogel

**DECLARATION OF WILLIAM M.
WALKER IN SUPPORT OF
DEFENDANTS' MOTION FOR
SANCTIONS DUE TO FACEBOOK'S
CANCELLATION OF DEPOSITIONS
AFTER DEFENSE COUNSEL HAD
ALREADY FLOWN TO GERMANY**

[Notice of Motion and Memorandum of
Points and Authorities, and Declaration
of Stephen S. Smith (with exhibits), and
(Proposed) Order filed concurrently]

Date: March 3, 2009
Time: 10:00 a.m.
Dept./Place: Courtroom 2, 5th Floor
Hon. Howard R. Lloyd

Complaint Filed: July 18, 2008

DECLARATION OF WILLIAM WALKER

I, William M. Walker, declare:

1. I am an attorney at law duly licensed to practice in the State of California and before the United States District Court for the Northern District of California, and am a partner at Greenberg Glusker Fields Claman & Machtinger LLP, counsel of record for Defendants StudiVZ Ltd., Holtzbrinck Networks GmbH, and Holtzbrinck Ventures GmbH (“Defendants”). I have personal knowledge of the facts set forth herein and, if called as a witness, could and would testify competently thereto under oath. This declaration is submitted in connection with Defendants’ motion for sanctions due to Facebook’s cancellation of two depositions after defense counsel had already traveled to Germany to attend them.

2. On December 30, 2008, during a meet and confer conversation I had with Tom Gray, Mr. Gray asked me whether Messrs. Weber and Brehm were being produced pursuant to Rule 30(b)(6). Facebook had previously served Rule 30(b)(6) notices, but had voluntarily withdrawn them back in November 2008. For that reason, I said that the witnesses were not formally being produced under Rule 30(b)(6), but I added that the witnesses were, in fact, the persons most knowledgeable about personal jurisdiction and forum and would be prepared to testify about any topics related thereto.

I declare under penalty of perjury under the laws of the State of California and the United States that the foregoing is true and correct, and that this declaration was executed in Los Angeles, California on January 27, 2009.

/s William Walker

William Walker